

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Franklin Webb, Sr.)	C/A No. 4:12-cv-02769-RBH-KDW
)	
)	
Plaintiff,)	
)	
v.)	Report and Recommendation
)	
)	
Mrs. Shavist,)	
)	
Defendant.)	
)	
)	
)	

Plaintiff, proceeding pro se and *in forma pauperis*, brought this action alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983. On May 10, 2013, Defendant filed a Motion for Summary Judgment. ECF No. 51. As Plaintiff is proceeding pro se, the court entered an order on May 13, 2013 pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of a summary judgment motion and of the need for him to file an adequate response. ECF No. 52. Plaintiff was specifically advised that if he failed to respond adequately, Defendant's motion may be granted, thereby ending this case.

On June 24, 2013, the court ordered Plaintiff to advise the court by July 8, 2013 whether he wished to continue with the case. ECF No. 56. Plaintiff has filed no response. As such, it appears to the court that Plaintiff does not oppose Defendant's motion and wishes to abandon his action. Based on the foregoing, the undersigned recommends that this action

against Defendant be dismissed with prejudice for failure to prosecute, thereby ending this matter. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO RECOMMENDED.

A handwritten signature in black ink, reading "Kaymani D. West". The signature is written in a cursive, flowing style.

Kaymani D. West
United States Magistrate Judge

July 12, 2013
Florence, South Carolina